

## A. STATE-AT-A-GLANCE

1)	<b>Program Operation</b>	State supervised/county administered.
2)	<b>Number of Local Offices (excluding Agencies under Cooperative Agreements)</b>	83 county IV-D offices.
3)	<b>Type of Agencies with Cooperative Agreements</b>	All counties have a cooperative agreement with either a county attorney's office or private attorney. Some counties have agreements with their Court Administrator or Sheriff's Dept. 63 Counties have agreements for Administrative Process.
4)	<b>Uniform Interstate Family Support Act</b>	Yes.
5)	<b>Agreements With Tribal Entities</b>	None.
6)	<b>Age of Majority for Termination of Support</b>	18 or until the child is no longer attending secondary school, whichever occurs later. Support shall not extend past the child's 20th birthday, regardless of educational level unless the order specifies.
7)	<b>Statutes of Limitation:</b>	
	• <b>Collection of Past Due Support</b>	For Judicial actions - 10 years from date of accrual. Can be reduced to judgment which extends SOL 10 years and judgment can be renewed. No SOL on Administrative actions (tax intercept, billing, credit bureau reporting, etc.)
	• <b>Paternity Establishment</b>	18 or emancipation
	<b>Dormancy Revival/Renewal Possible [yes/no]</b>	
8)	<b>Guidelines</b>	Percentage of obligor net income.
9)	<b>Interest Rates on</b>	
	• <b>Missed Payments</b>	At least 1 month support: child support 7%, spousal fees 5%.
	• <b>Retroactive Support</b>	If "debt" no - if delinquency, yes 7% child support, 5% others
	• <b>Adjudicated Arrearage</b>	Child support 7%, spousal fees 5%
10)	<b>Arrearage Collections for Non- minor Child(ren)</b>	Yes, see under "Collection of Past Due Support".
11)	<b>Distribution Scheme</b>	
	• <b>AFDC Arrears</b>	First to current support (if multiple cases, proportionately among the cases), then to non-AFDC arrears (if multiple cases,

	proportionately among the cases), then to AFDC arrears (if multiple cases, proportionately among the cases), EXCEPT for IRS intercepted funds, which apply first to AFDC arrears.
• <b>Non-AFDC Arrears</b>	See AFDC arrears, above.
<b>12) Procedures Regarding Medical Support Using Income Withholding</b>	For a set dollar amount - yes.
<b>13) New Hire Reporting</b>	Yes.
<b>14) Recovery of Costs Elected Under State Plan</b>	No.
<b>15) Recovery of Costs for Initiating State</b>	Yes - blood tests.
<b>16) Long-Arm Statute/s Citation/s</b>	Mn. Stat. 543.19; Mn. Stat. 518C (UIFSA)
<b>17) Automated Locate Resources</b>	Driver's License, wages, reemployment compensation, motor vehicles, Dept. of Economic Security, Welfare Information (MAXIS), Dept. of Revenue.
<b>18) Enforcement Options</b>	
• <b>State Income Tax Refund Intercept</b>	Yes - "forever" (even if expired for Judicial remedies.)
• <b>License Revocation/ Suspension</b>	Yes
• <b>Administrative Liens</b>	Yes, if the arrears or judgment are not expired for Judicial purposes.
• <b>Property Seizure &amp; Sale</b>	Yes - but rarely (except for arrears only cases sent to ACP.)
• <b>State Funds/Benefits (please specify)</b>	
• <b>Other (please specify)</b>	Judgment remedies, lottery winnings.
<b>19) Spousal Maintenance Orders</b> <i>(specify yes or no)</i>	
• <b>Establish</b>	No.
• <b>Enforce</b>	When there is also a child support obligation.
• <b>Modify</b>	Yes, when there is also a child support obligation.

20) <b>Current Spouse/Partner Information Required</b>	
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## B. UNIFORM INTERSTATE FAMILY SUPPORT ACT

1) <b>State Code Citation</b>	Minnesota Statutes 518C
2) <b>Effective Date</b>	January 1, 1995
3) <b>Adopted Verbatim? If no, list differences.</b>	Minor technical changes. DIW to MN employers allowed.
4) <b>Repeal URESA?</b>	Yes.
5) <b>Repeal IWW?</b>	No.

## C. INCOME WITHHOLDING

1) <b>Income Withholding Terminology</b>	
2) <b>Income Withholding Procedures</b>	
• <b>State Withholding Limits</b>	Consumer Credit Protection Act. U.S. Code Title 15, Section 1673(b)(2)
• <b>Fee Charged by Employers</b>	\$1.00 per withholding-charged to obligor.
• <b>Date to Remit</b>	No later than 1st pay period that occurs 14 days following date of notice and any withholdings must be sent to IV-D agency within 10 days of when obligor paid balance of income.
• <b>Penalty</b>	Reasonable attorney fees to either obligee or public agency. Liable to the obligee for interest on the funds at the applicable judgment rate, computed from date funds required to be withheld. Twice wages lost as a result of the violation. Civil fine of not less than \$500.
3) <b>Definition of Employer</b>	Payor of income, which includes any form of periodic payment, pension and disability payments.
4) <b>Included Income</b>	Including, but not limited to wages, salaries, payments to independent contractors, worker's compensation, annuity, military and navel retirement, pension and disability payments.

5)	<b>Excluded Income</b>	AFDC, SSI, VA Disability, Life insurance proceeds, etc. Compensation received for employment in excess of 40 hrs/wk if excess began after the filing of petition for support.
6)	<b>Direct Income Withholding for Unemployment Compensation, include address</b>	Department of Economic Security      ATTN: Benefits Section 390 North Robert St.      St. Paul, MN 55101
7)	<b>Direct Income for Workers' Compensation, include address</b>	Yes. Individual insurance companies, addresses available through the employer.
8)	<b>Direct Income Withholding, other income sources subject to, include address</b>	Only payor of funds.
9)	<b>Direct Income Withholding, list Other Income Sources NOT subject to</b>	Only payor of funds.
10)	<b>Federal Withholding (See Federal Pay Agents Section)</b>	IV-D Directors need not answer this question.
11)	<b>Procedures for Contesting Income Withholding</b>	Obligor must file a motion within 15 days of notice of IW. Only grounds for appeal is arrearage not at least 30 days or mistake of fact.
12)	<b>Arrearages through Income Withholding</b>	Yes. Specifics of order or 20% of current charging amount.
13)	<b>Enforcing Against Non-Resident Obligor Asset/Income</b>	Yes (Direct IW, etc.)
14)	<b>Exception to Immediate Withholding</b>	1) Court finds good cause to waive; 2) All parties agree in writing and court approves; or 3) Escrow account established with sum equal to two months of monthly obligation.
15)	<b>Multiple Obligations Withholding Priorities</b>	
	• <b>Policy</b>	Pro-rate as follows: 1) Determine disposable income per Consumer Credit Protection Act, 2) total amount all court ordered obligations, 3) divide the amount of each obligation by the total, 4) multiply this amount by amount of income available. That is portion of allocate to each case.
	• <b>Priority</b>	Priority to amounts designated as current support.
	• <b>Assistance</b>	Yes.
	• <b>Allocation</b>	See policy.

## D. PATERNITY

1) <b>Interstate Paternity Procedures</b>	MN county serves the alleged father and attempts to obtain a consent order. If paternity is contested, alleged father will be scheduled for blood test. The initiating agency will be contacted to coordinate arrangements.
<b>Consent Orders Obtained</b>	Yes.
2) <b>Uniform Parentage Act</b>	Yes.
3) <b>Uniform Act on Blood Testing</b>	No.
4) <b>Parentage Order Available Without Order for Support</b>	Yes.
5) <b>Custody/Visitation Addressed Subject to Tribunal's Jurisdiction</b>	Yes.
6) <b>Genetic Test Results as Presumption of Paternity</b>	Rebuttable.
<b>Threshold</b>	99% Temporary orders can be obtained with a 92% or greater result.
7) <b>Paternity Acknowledgment as Presumption of Paternity (Rebuttable/Conclusive)</b>	Recognition of Parentage is conclusive. Declaration of Parentage is rebuttable up to three years from date of signing, then conclusive.
8) <b>Marriage as Presumption of Paternity</b>	Yes. 1) Rebutted in court action with clear and convincing evidence; 2) A court decree establishing paternity by another man; or 3) Another man signs a Recognition of Parentage (ROP) and the husband signs a Husband's Non-paternity Statement within 10 days of the ROP and prior to the child's first birthday.
9) <b>Putative Father's Name on Birth Certificate, Effect of</b>	Parties have completed a Recognition of Parentage or a Declaration of Parentage.
10) <b>Other Statutory Presumptions</b>	Yes. 1) Husband presumed if child born within 280 days of termination of marriage by death, annulment, declaration of invalidity, dissolution; 2) Man has acknowledged paternity in writing filed with state registrar or vital statistics; 3) with his consent, he is named on the birth certificate; 4) he is obligated to support the child under a written voluntary promise or by court order; 5) he receives the child into his home and openly holds child out as biological child.
11) <b>Recognition of Common Law Marriage</b>	No.
12) <b>Personal Appearance of Witness or Custodial Parent Required</b>	No.

<b>Acceptable Methods of Testimony</b>	Affidavit of Paternity.
<b>13) Long-Arm Statute</b>	M.S. 543.19
<b>14) Assistance to Other States Using Their Long-Arm Statutes</b>	
• <b>Service of Process</b>	Yes, county child support agency.
• <b>Genetic Testing</b>	Yes, county child support agency.
<b>15) Recovery of Genetic Testing Costs for Other States</b>	Yes.

## E. SUPPORT ORDER ESTABLISHMENT

<b>1) Interstate Procedures</b>	Judicial and Administrative processes. Administrative would be used if it's a consent or default; if case is contested, it could become judicial. Adm. Process Statute 518.5511
<b>2) Income Considered for Setting Support</b>	AP's net income/assets; periodic income; salary; wages; commissions; deferred compensation; certain overtime; contract-related benefits; dividends; interest; trust income; severance pay; annuities; capital gains; unemployment compensation; retirement benefits; spousal maintenance actually received; bonuses; disability benefits. See Mn. Stat. 518.551 (also, number of children; child care costs; cost of providing health insurance for child).
<b>3) Criteria for Rebuttal</b>	See Mn. Stat. 518.551
<b>4) Support Order for Prior Periods</b>	Minnesota law allows reimbursement up to two years prior to the date the action was started.  Information has to be stated in the facts and order as to what amount of reimbursement you are asking for and how you arrived at the amount.

## F. ENFORCEMENT

(Note: If multiple orders, see Part “G”)

### I. ENFORCING YOUR OWN ORDER

<b>1) Enforcement for Non-Resident Family</b>	Yes.
<b>2) Administrative Procedures and</b>	Tax offset, credit bureau, I.W., billing.

<b>Remedies Available</b>	
3) <b>Judicial Procedures and Remedies Available with Registration</b>	Judgment remedies/liens/asset seizure.

## II. ENFORCING OTHER STATES' ORDERS

4) <b>Administrative Procedures and Remedies Available Without Registration</b>	MN will proceed with administrative remedies, even on requests for registration. Administrative remedies include: income withholding, state tax offset, license revocation.
5) <b>Judicial/Administrative Remedies with Registration</b>	Income withholding, state tax offset, license revocation, judgments by operation of law.
6) <b>UIFSA/URES A Registration and Enforcement Procedure</b>	Requests for registration must be sent to the Central Registry Unit. Case will be forwarded to the responsible MN county for administrative enforcement, then registration if necessary. Parties will be given notice of the request for registration and the right to contest registration.
7) <b>Judicial Procedures Required after Registration</b>	If obligor contests registration and an agreement cannot be reached at an administrative conference, matter will be scheduled for hearing.
8) <b>Uniform Enforcement of Foreign Judgments Act Citation</b>	Mn. Stat. 548.26 - 33.

## G. MODIFICATION/REVIEW & ADJUSTMENT OF ORDERS

1) <b>Jurisdiction Requirements</b>	CEJ per UIFSA
2) <b>Modification Procedures</b>	Upon request for NPA cases and automatically for PA cases every 36 months. Workers may elect to do more often as circumstances indicate and resources allow. A signed request must accompany any request for a review for an NPA case. The review may result in an adjustment that is higher or lower than the current order. Once a review has begun and after the receipt of a signed request for an NPA requester, the process must go forward even if it results in an adjustment the parties did not expect. The child support, medical support and child care portions of the order are all subject to change and a need for change in any area is a basis for adjustment. Reviews use current financial information to determine appropriate amount of the order. In the absence of employment or tax information, income may be imputed based upon job and educational history, information from the custodial parent relative to job history, or the federal or state minimum wage, whichever is higher. Interstate requests for review must include a signature from a party or a IV-D worker and sufficient financial information to review.

<b>3) Criteria for Modification</b>	Application of the Minnesota guidelines to the current circumstances of the parties results in an order that is at least 20% and a minimum of \$50 higher or lower than the current order. If , due to a change of circumstances, it must be expected to last longer than 6 months. No dollar amount to add medical support or if child care expenses have terminated completely. Fluctuations in child care must meet the dollar standard.
<b>4) Criteria for Change of Circumstances</b>	Failure to comply with medical support provisions and at least 20% and a minimum of \$50 change -up or down.
<b>5) Frequency With Which Reviews are Conducted</b>	Every three years at minimum.
<b>6) Criteria for Review</b>	Order at least 35 months old; IV-D or medical support enforcement case; AFDC, MA or IV-E Foster care w/o request, NPA w/ request. UIFSA CEJ requirements must be met.
<b>7) Criteria for Adjustment</b>	See criteria for modification. Minnesota also has a biannual cost of living increase(COLA) for all state orders since 1983, unless waived. The order is automatically increased by the amount of the Consumer Price Index (CPI) in the previous two years, unless the obligor requests a hearing to disprove that his/her income has increased comparatively.

## H. MULTIPLE ORDERS

### ENFORCEMENT AND MODIFICATION

<b>1) Controlling Order</b>	Analysis per UIFSA, Mn. Stat. 518C.207.
<b>2) Date of Controlling Order</b>	Date is determined at the time a formal Controlling Order Determination is made.
<b>3) If No Controlling Order</b>	Analysis per UIFSA, Mn. Stat. 518C.207. If multiple orders exist, and no tribunal in states with orders can claim CEJ, MN will establish a new order and assume CEJ.
<b>4) Arrears Procedure</b>	



## I. Documentation Required to Initiate Requests

<b>ACTION REQUESTED</b>	<b>DOCUMENTS NEEDED</b>	<b># of Copies of each docu- ment</b>	<b>Certi- fication required for each docu- ment  *See below</b>
Establishment of Paternity and Support	CSE Transmittal #1 - Initial Request - <b>B</b>  Uniform Support Petition - <b>A</b>  General Testimony - <b>A</b>  Affidavit in Support of Establishing Paternity - <b>A</b>	3	
Enforcement of Responding State's Order	CSE Transmittal #1 - Initial Request - <b>B</b>	3	
Modification of Responding States' Orders	CSE Transmittal #1 - Initial Request - <b>B</b>  General Testimony - <b>A</b>	3	
Administrative Enforcement of Another States' Order	CSE Transmittal #1 - Initial Request - <b>B</b>  Affidavit of Arrears (if applicable) - <b>A</b>  Court Order - <b>C</b>	3	
Registration for Enforcement of Another States' Order	CSE Transmittal #1 - Initial Request - <b>B</b>  Affidavit of Arrears (if applicable) - <b>A</b>  Court Order - <b>C</b>	3	
Collection of Arrearages in Multiple Orders	CSE Transmittal #1 - Initial Request - <b>B</b>  Copies of all orders - <b>C</b>  Affidavit of Arrears - <b>A</b>	3	
Uniform Enforcement of Foreign Judgments Act			
Modification of Another State's	CSE Transmittal #1 - Initial Request - <b>B</b>	3	

<b>ACTION REQUESTED</b>	<b>DOCUMENTS NEEDED</b>	<b># of Copies of each docu- ment</b>	<b>Certifi- cation required for each docu- ment  *See below</b>
Order	Uniform Support Petition - <b>A</b>  General Testimony - <b>A</b>		
Status Update on an Existing Interstate Case	CSE Transmittal #2 - Subsequent Actions		
Quick Locate	Locate Data Sheet		

*\*A= Notarization by Notary Public; B= Certification by signature of agency official;  
C= Certification by signature of court official; D= Others (please specify);  
E= Certification not required*

## J. State Contact Chart

ASSISTANCE NEEDED	CONTACT  Name, Title, Address, Phone, Fax, E-mail (include 800 if applicable)
State Information Agent	<p>Kathleen Seitz, Program Advisor</p> <p>DHS/Child Support Enforcement Division</p> <p>444 Lafayette Road</p> <p>St. Paul, Minnesota 55155-3846</p> <p>(612) 297-5846</p> <p>(612) 297-4450 - Fax</p> <p>Lori Teat, Program Advisor</p> <p>DHS/Child Support Enforcement Division</p> <p>444 Lafayette Road</p> <p>St. Paul, Minnesota 55155-3846</p> <p>(612) 296-0124</p> <p>(612) 297-4450 - Fax</p>
Central Registry	<p>Jamesina (Jamie) F. Campbell, Central Registry</p> <p>Specialist</p> <p>DHS/Child Support Enforcement Division</p> <p>444 Lafayette Road</p> <p>St. Paul, Minnesota 55155-3846</p> <p>(612) 296-2696</p> <p>(612) 297-4450 - Fax</p>
Interstate Policy Contact (if different)	<p>Kathleen Seitz, Program Advisor</p> <p>(See "State Information Agent")</p> <p>Lori Teat, Program Advisor</p> <p>(See "State Information Agent")</p>

Contact for Information Regarding Your States Long Arm Statute and Process	<p>Kathleen Seitz, Program Advisor (See "State Information Agent")</p> <p>Lori Teat, Program Advisor (See "State Information Agent")</p>
Contact for Information Regarding Collection and Distribution (State level)	<p>Kathleen Seitz, Program Advisor (See "State Information Agent")</p> <p>Lori Teat, Program Advisor (See "State Information Agent")</p>
Contact to Obtain Payment Records	County Child Support office.
Contact to Obtain Copy of Order	County Child Support office.
Contact for States Using Their Long Arm Statutes or Continuing Exclusive Jurisdiction (no “case” in your State) for	
<ul style="list-style-type: none"> <li>• Service of Process (private process server? If so , list)</li> </ul>	County Child Support office.
<ul style="list-style-type: none"> <li>• Genetic Testing ( e.g. assistance with interstate teleconferencing)</li> </ul>	County Child Support Office.
New Hire Reporting Contact	<p>Kay Dunkelberger, Central Registry/Interstate Locate Manager</p> <p>DHS/Child Support Enforcement Division</p> <p>444 Lafayette Road</p> <p>St. Paul, Minnesota 55155-3846</p> <p>(612) 297-4267</p>

	<p>(612) 297-4450 - Fax</p> <p>Nancy Philippi, Program Advisor</p> <p>DHS/Child Support Enforcement Division</p> <p>444 Lafayette Road</p> <p>St. Paul, Minnesota 55155-3846</p> <p>(612) 296-5722</p> <p>(612) 297-4450 - Fax</p>
Employer Assistance Contact	<p>Nancy Philippi, Program Advisor</p> <p>(See "New Hire Reporting Contact")</p>
<p>Telephone Number for Automated Interstate Case <i>Status</i> Requests</p> <p>(if any)</p>	<p>(612) 296-2542</p>
<p>Telephone Number for Automated Interstate Case <i>Payment</i> Requests</p> <p>(if any)</p>	<p>(612) 296-2542</p>
Privatization Contact	